

CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: October 15, 2008 Name: Bonnie R. Shaw (60,493) Signature: /Bonnie R. Shaw/

**BRINKS
HOFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: **SCOTT E. BOATMAN ET AL.**

Appln. No.: **10/813,415**

Filed: **March 30, 2004**

For: **MEDICAL DEVICE INCLUDING
UNITARY, CONTINUOUS
PORTION OF VARYING
DUROMETER**

Examiner: **Suzanne E.
McDowell**

Art Unit: **1791**

Conf. No.: **5634**

Attorney Docket No: **8627-453 (PA-5259-RFB/DIV)**

TRANSMITTAL

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Attached is/are:

☒ Reply to Office Action (19 pages).

Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 CFR § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 CFR § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	OR	Rate	Add'l Fee
Total	36	Minus	41	0	x \$26=			x \$52=	0
Indep.	17	Minus	11	6	x 110=		6	x \$220=	1,320
First Presentation of Multiple Dep. Claim					+\$195=			+ \$390=	
					Total	\$		Total	\$1,320

Fee payment:

- ☒ Please charge Deposit Account No. 23-1925 in the amount of \$1,320.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

October 15, 2008
Date

/Bonnie R. Shaw/
Bonnie R. Shaw (Reg. No. 60,493)